TOWN OF WAYLAND

WARRANT for SPECIAL TOWN MEETING

Thursday, November 20, 2003 7:45 P.M.
Wayland High School Field House

For Reference
Not to be taken from this room

www.wayland.ma.us

NOTICE

The Town of Wayland does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Wayland does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (ADA).

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Wayland's designated ADA Compliance Coordinator.

Name:	John Senchyshyn
Title:	Human Resources Director/Assistant Executive Secretary
Office Address:	41 Cochituate Road, Wayland MA 01778
Phone Number:	(508) 358-3623
Fax Number:	(508) 358-3627
TDD:	(508) 358-0194 or 911
Days/Hours Available:	Monday, 8:30 a.m. to 7:30 p.m. Tuesday to Thursday, 8:30 a.m. to 4:00 p.m. Friday, 8:30 a.m. to 12:30 p.m.

Individuals who need auxiliary aids for effective communication in programs and services of Wayland are invited to make their needs and preferences known to the ADA Compliance Coordinator. A minimum of fourteen days' notice is required.

This notice is available in large print and on audio tape from the ADA Compliance Coordinator.

TOWN OF WAYLAND

2003 SPECIAL TOWN MEETING WARRANT

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ADJOURNED MEETINGS

It is anticipated that if an adjourned meeting is necessary to complete action on this warrant, it will be held on Monday, November 24, 2003, subject to Special Town Meeting approval.

If you have any questions about the Articles, please attend **the Warrant Hearing on Monday, November 10, 2003, at 8:00 P.M.** at the Town Building. You may also call the Executive Secretary's office at (508) 358-3621 before Special Town Meeting.

NOTICE REGARDING MOTIONS

This warrant for Wayland Special Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at Happy Hollow School. It contains the agenda of subjects to be acted upon; i.e., the articles.

By state law, no action at the special town meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to deal. It does not require that the warrant contain an accurate forecast of the precise action that the meeting will take upon those subjects. A valid motion may differ from the underlying article, but it must be within the scope of that article.

QUANTUM OF VOTE

The quantum of vote is specified in the warrant for each article.

For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

Certain articles request the action of Town Meeting under its general legislative powers (i.e., to hear and accept reports, to appoint a committee, to adopt a resolution or "sense of the meeting" vote, etc.), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common law precedent in Massachusetts, such matters are decided by a majority vote.

NO SMOKING NOTICE

Voters are reminded that there is no smoking permitted on school grounds.

NO CELL PHONES NOTICE

Voters are reminded that no cell phones will be allowed in the Field House during Special Town Meeting.

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. *Town of Wayland*

** WARRANT **

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to come to their respective polling places (Precincts 1 and 4 in the gymnasium of the Town Building and Precincts 2 and 3 in the gymnasium of the Middle School) on:

TUESDAY, NOVEMBER 18, 2003, BETWEEN 7:00 A.M. and 8:00 P.M.

to vote "Yes" or "No" upon the following question:

QUESTION NO. 1: "Shall the Town of Wayland be allowed to assess an additional $850,000.00 in real estate and personal property taxes for the purposes of funding the operating budgets of the Town and the Public Schools for the fiscal year beginning July 1, 2003?"

* * * *

You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School in the Town seven (7) days, at least, before the time appointed for the Special Town Election.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before November 4, 2003.

Given under our hands and seals this 3rd day of November, 2003.

Mary M. Antes, Vice Chair

Betsy Connolly, Chair

Douglas J. Leard

Brian T. O'Herlihy

William D. Whitney

Selectmen of the Town of Wayland

Middlesex, ss. *Town of Wayland*

WARRANT of the SPECIAL TOWN MEETING OF NOVEMBER 20, 2003

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to meet in the High School Field House on

THURSDAY, NOVEMBER 20, 2003, AT 7:45 P.M.

to act on the following Articles:

ARTICLE 1: CURRENT YEAR TRANSFERS

Proposed by: Board of Selectmen *Estimated Cost: $8,800.00*

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various town departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

CURRENT YEAR TRANSFERS FY 2004	
TOWN CLERK ELECTIONS (SPECIAL ELECTION)	$5,800.00
UNCLASSIFIED (SPECIAL TOWN MEETING)	$3,000.00
TOTAL CURRENT YEAR TRANSFERS	$8,800.00
FUNDING SOURCE:	
UNRESERVED FUND BALANCE	$8,800.00
TOTAL FUNDING SOURCE	$8,800.00

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 2: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen *Estimated Cost: $13,938.18*

To determine whether the Town will vote to:

(a) pay the following bills of a prior Fiscal Year:

Vendor	Fiscal Year	Amount	Board
Citgo	2003	$5,607.20	Various Departments
Select Energy	2003	8,330.98	Various Departments;

(b) appropriate the sum of money for the payment of the foregoing bills of a prior fiscal year; and

(c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Nine-tenths – see Massachusetts General Laws Chapter 44, Section 64.

ARTICLE 3: HOUSING FUND DISBURSEMENT AUTHORIZATION

Proposed by: Board of Commissioners of Wayland Housing Authority and the Board of Selectmen

To determine whether the Town will vote to authorize a disbursement procedure for the Housing Fund for identifying, testing, redeveloping, rehabilitating, constructing, acquiring and otherwise preparing properties for the acquisition of affordable housing opportunities in Wayland; to require that any net proceeds realized from use of Housing Fund monies be returned to the Housing Fund; and to require reporting relative to expenditures and the number and percentage of affordable housing units in Wayland.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority.

ARTICLE 4: CONTINUED PLANNING AND DESIGN SERVICES FOR WAYLAND HIGH SCHOOL

Proposed by: School Committee *Estimated Cost: $355,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the School Committee for the purpose of funding design fees and other required services for a conceptual design and implementation plan for a project to modernize and expand the Wayland High School, and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 5: APPOINTMENT OF A HIGH SCHOOL BUILDING COMMITTEE

Proposed by: School Committee

To determine whether the Town will vote to authorize the establishment of a committee appointed by and accountable to the School Committee to be hereafter known as the High School Building Committee, to effect the modernization and expansion, equipping and furnishing of Wayland High School, which Committee shall be composed of eleven members, nine appointed by the School Committee, one appointed by the Finance Committee and one appointed by the Board of Selectmen.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority.

ARTICLE 6: REQUEST TO PETITION THE GENERAL COURT RE: SCHOOL PROJECT CONSTRUCTION LOANS

Proposed by: School Committee

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act authorizing the Town of Wayland (i) to incur debt payable within 30 years for constructing a new high school or constructing an addition to and remodeling, reconstructing and making extraordinary repairs to the Wayland High School, including original equipment and furnishings, and any other projects subsidiary or incidental to such project as determined by vote of the Town and (ii) to issue temporary loans in anticipation of such debt for a period of not more than 7 years.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority – See Massachusetts Constitution Amendment Article 2, Section 8 (1).

ARTICLE 7: WATER MAIN REPLACEMENT PROJECT ON DRAPER ROAD AND HAZELBROOK LANE

Proposed by: Board of Water Commissioners *Cost: $50,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners for the design plans and related costs of designing and bidding a water main replacement project on Draper Road and Hazelbrook Lane; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7 and Section 8.

ARTICLE 8: STATION TWO ADDITIONAL APPROPRIATION

Proposed by: Board of Selectmen *Cost: $50,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to make various capital improvements to Fire Station Two in Cochituate, including but not limited to roof replacement; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 9: REMOVAL OF OVERHEAD WIRES

Proposed by: Planning Board

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding the following provisions to Chapter 177, Utilities, Underground:

Any person, firm, corporation, partnership, their agents and employees, who has been granted, or may be granted, any license, permission, or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any pubic way or ways, is forbidden from installing or constructing, and shall remove immediately any poles, overhead wires and associated overhead structures which are located on, along, or across the following sections of roadway:

Wayland Center: that part that is included in the scheduled reconstruction of the Rt. 20/Rt. 126/27 intersection - along the roadway that will be part of the Rt. 20 / Rt. 126/27 intersection reconstruction, extending along Rt. 20 from Winthrop Road on the east through the intersection to the western end of the triangle at the Mellen Law Office Green and Pelham Island Road East; from the intersection of Rt. 126 and Rt. 27 at the railroad tracks on the north, through the intersection to Winthrop Road on the south.

Cochituate Village: Rt. 30 and Rt. 27 that pass through the Village center - along Rt. 30 from French Street on the east to the Lakeview Cemetery on the west and Rt. 27 from the East Plain / West Plain Street intersection on the north to the Natick Town line on the south.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority – See M.G.L. Chap. 40, Section 21. (See Map at Appendix B)

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 10: FUNDING FOR EVALUATION OF FORMER NIKE SITE ON OXBOW ROAD

Proposed by: Board of Selectmen and Community Preservation Committee *Cost: $35,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the purpose of funding environmental testing and other due diligence to evaluate the current state and potential costs to reuse the former Nike Site on Oxbow Road; and to determine whether such appropriation shall be provided by transfer from the Community Preservation Fund, or, if needed, by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7. (See Map at Appendix C)

ARTICLE 11: CREATION OF BOW ROAD LOCAL HISTORIC DISTRICT

Proposed by: Wayland Historic District Commission

To determine whether the town will vote to expand Wayland's Historic District, established by a vote of the Town in 1965, by creating a new local historic district to be known as the Bow Road Historic District to include the areas of land shown as Lots 18-036, 23-053, 23-056, 23-057, 23-066, 23-067, 23-068, 23-069, 23-070, 23-071, 23-072, 23-073, 23-074, 23-075, 23-076, 23-077A, 23-078, 23-079, 23-080, 23-081, 23-082, 23-083, 23-084, the part of Lot 23-77 that is south of a line drawn from the northeast corner of Lot 23-76 to the northwest corner of Lot 23-77A, the southern part of Lot #18-037 from Bow Road north to the point where the lot is widened to the west, and the southern 20 foot wide strip of Lot #18-092A from Bow Road to the point where the lot is widened to the east, as shown on a plan filed in the Office of the Town Clerk entitled "Plan of Land in Wayland, Massachusetts showing Bow Road Historic District" dated September 25, 2003, and prepared by the Wayland Town Surveyor's Department.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had the opportunity to hold hearings or to discuss this article prior to the printing of the warrant. Therefore, our report and recommendations are deferred until the Special Town Meeting.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40C, Section 3. (See Map at Appendix D)

APPENDIX A

THE MODERATOR'S RULES AND REGULATIONS GOVERNING WAYLAND'S TOWN MEETINGS

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

I. The Warrant

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting at the Town Building, the Library, the Cochituate Fire Station or the Cochituate Post Office and the Happy Hollow School. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed, if this is an annual meeting, the report and recommendations of the Finance Committee upon each article and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a two-thirds vote.

II. The Voters

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate, debate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the By-Laws of the Town and these rules and regulations.

B. All other persons may attend and observe Wayland's town meetings so long as they remain seated in the special section that has been reserved for this purpose, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

C. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

III. The Moderator

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the By-laws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

IV. The Meeting

A. The Call to Order

1. The Moderator will call each session of town meeting to order at 7:45 p.m., or as soon thereafter as the Town Clerk has determined that a quorum of one hundred registered voters has been checked into the hall.

2. All persons, who have not registered to vote in Wayland, including members of the press, must sit in the section reserved for non-residents, unless the Moderator has authorized them to sit among the voters.

3. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator. All persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:

1) The main motion under the article being considered and a presentation in support thereof;

2) The principal presentation in opposition to the main motion. See paragraph IV.C.2.a below;

3) An amendment to a main motion;

4) A question seeking information or guidance from the Moderator as to procedure, including a point of order;

5) An answer to a question seeking information; and

6) A point of order or procedural motion, such as:

a) a motion to terminate debate;

b) a motion challenging the Moderator's declaration of a vote;

c) a motion questioning the presence of a quorum; and

d) a motion to adjourn.

b. The "Pro" Microphone will be available to those persons recognized by the Moderator who wish to speak in support of a motion on the floor.

c. The "Con" Microphone will be available to those persons recognized by the Moderator who wish to speak in opposition to a motion on the floor.

The Moderator will normally recognize those persons, who are standing behind or seated near each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are

not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.

3. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a voice vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:

a. "I move that . . .";

b. "May I ask you . . ."; or
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);

c. "I rise to a point of order"; or

2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but

a. Any person who wishes to offer the principal presentation in support of, or in opposition to, the main motion under an article, must so notify the Moderator and complete the same within ten minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the following minute.

b. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three minutes, or less, and yield the floor. The same one minute warning light will be turned on when you have used up the first two minutes.

c. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.

d. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.

3. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

4. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph II. B and C above.

a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article

printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.

b. If you plan to offer a main motion, which contains more than twenty-five words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.

c. No motion or amendment of a motion that exceeds ten words in length will be accepted, unless it shall have been offered to the Moderator in writing.

d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be permitted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article.

e. The Moderator will permit no motion to appropriate and/or expend a sum of money, which exceed the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.

f. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.

5. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.

6. Wayland's practice with respect to some common subsidiary motions is generally as follows:

a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.

b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall

appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.

c. You may move to advance or postpone consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.

d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.

e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

f. Upon the expiration of sixty minutes after the main motion under any article shall have been seconded, the Moderator may terminate debate thereon, unless the Town Meeting shall have voted to extend the time available for further debate.

g. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated only by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, "move the previous question". If your motion receives a second, the Moderator will ask if anyone, who has not spoken to the motion under consideration, wishes to be recognized. If no one expresses such a wish by raising his or her hand, the Moderator will immediately terminate debate and take a vote upon your motion without permitting any amendment; but if one or more persons, who have not spoken to said motion, raise their hand, the Moderator may defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

h. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote.

7. If an article of the Warrant has once been acted upon and disposed of, a motion to return to the article may be made at any time; however, debate and action on said motion shall be deferred until all other articles shall have been disposed of and shall occur in the numerical order of each such article. In any event, a motion to reconsider is debatable, may not be amended and requires a TWO-THIRDS vote, unless it shall have been made before the article has been disposed of; in which event it requires only a

MAJORITY vote. If such motion carries, the Moderator will ask whether there is a new motion under the article to be reconsidered.

D. The Vote

Before calling for a vote, the Moderator will usually repeat the motion under consideration (as the same may have been amended), unless it is substantially identical to the article:

1. The Moderator will then ask all those in favor to say, "Aye". He will then invite those opposed to say, "No". If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

2. If the Moderator is still in doubt, or if seven or more voters have immediately questioned his declaration of such vote, he will call for the tellers to help him take a standing counted vote -- two tellers for each section of the hall so that they may check each other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted." When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report their portion of the vote from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration is final.

3. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion, the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote.

4. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate ("move the previous question"), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was "a scattering of nos."

5. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot, the Moderator will ask the Tellers to come forward and take their places at the ballot boxes that will be placed at the front of the Hall by the Town Clerk. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of each section of voters to their respective ballot box. The voters will then rise and proceed row-by-row to their box, tear their ballots into two parts, deposit one half in the box, the other half in the discard box and return to their seat. In order to assure the security of all secret ballots:

a. No one will be allowed to vote without a ballot which bears the color announced by the Moderator.

b. No one will be permitted to cast a ballot until he or she shall have discarded the other half of the ballot into the discard box in the custody of the Teller.

c. No one will be permitted to leave the hall until after the meeting has adjourned, unless he or she shall have turned all of the ballots that have not actually been used during a vote to the Checkers at the door.

When all of the ballots shall have been cast, the Tellers will open the ballot boxes and count the ballots at the tables situated at the front of the Hall in front of the podium.

The Moderator will then ask for the unanimous consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of the next Article. When the Tellers have completed their count, they shall report their count to the Moderator, the Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.

The Moderator will then ask for the unanimous consent of the meeting to return to the Article (a 2/3 vote is required) under which the secret ballot has been taken.

E. Adjournment

1. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

2. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. Questions

In the event that you have a question concerning the conduct of the meeting or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

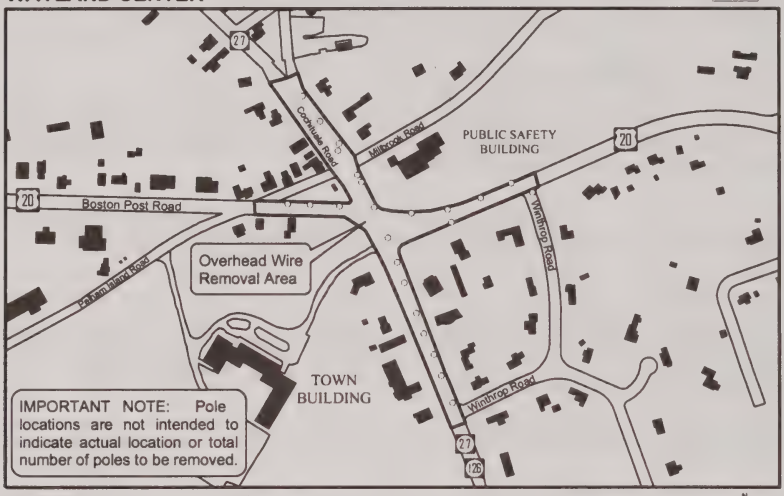
Thank you for joining us tonight to do the Town's business.

C. Peter R. Gossels, Moderator
March 3, 2003

APPENDIX B

ARTICLE 9: REMOVAL OF OVERHEAD WIRES WAYLAND CENTER

TOWN OF WAYLAND GIS



Survey Department
Wayland GIS
41 Cochituate Road
Wayland, MA 01778
October 23, 2003

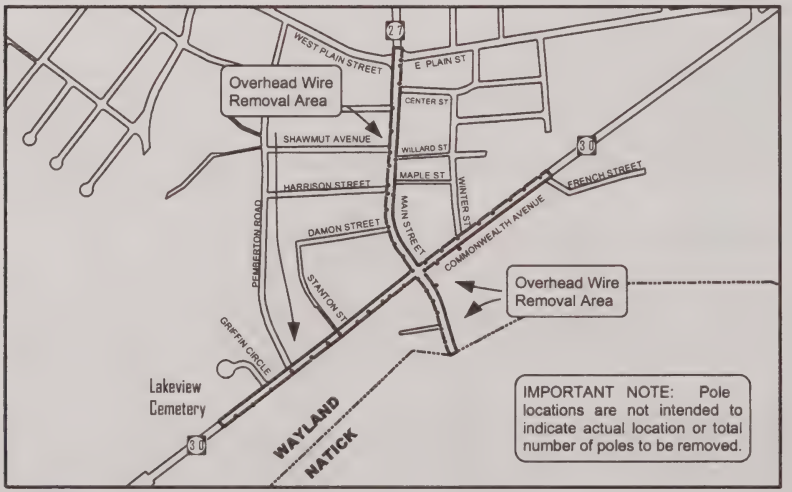
Legend
Building Roof-Print (BECO 1992)
Simulated Pole Location (BECO 1992)

Scale
0 50100 200 300 400 500 Feet

N W E S

ARTICLE 9: REMOVAL OF OVERHEAD WIRES COCHITUATE VILLAGE

TOWN OF WAYLAND GIS



Survey Department
Wayland GIS
41 Cochituate Road
Wayland, MA 01778
October 23, 2003

Legend
Town Line
Simulated Pole Location (BECO 1992)

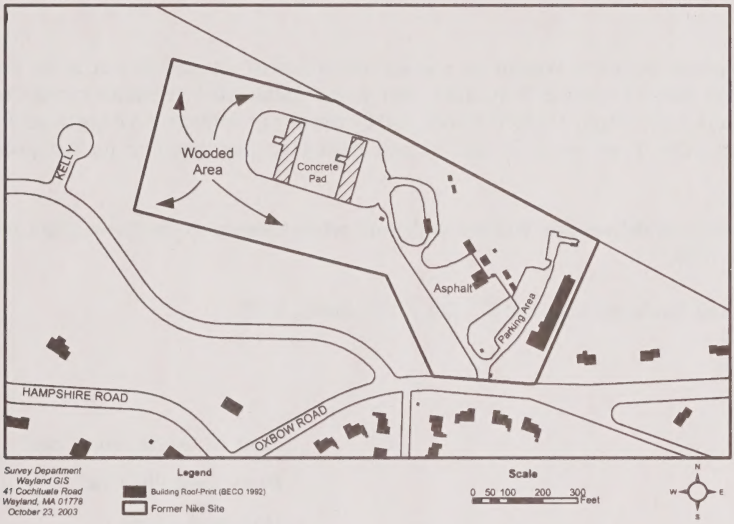
Scale
0 125250 500 750 1,000 1,250 Feet

N W E S

APPENDIX C

ARTICLE 10: FUNDING OF EVALUATION OF FORMER NIKE SITE ON OXBOW ROAD

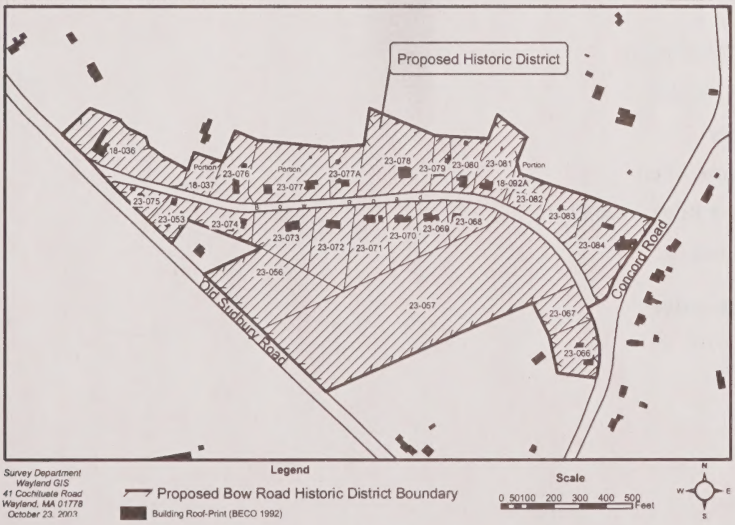
TOWN OF WAYLAND GIS



APPENDIX D

ARTICLE 11: CREATION OF BOW ROAD LOCAL HISTORIC DISTRICT

TOWN OF WAYLAND GIS



★★★★★★★★★

You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town seven (7) days, at least, before the time appointed for the Special Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before November 4, 2003.

Given under our hands and seals this 3rd day of November, 2003.

Mary M. Antes, Vice Chair

Betsy Connolly, Chair

Douglas J. Leard

Brian T. O'Herlihy

William D. Whitney

Selectmen of the Town of Wayland

Charles R. D'Ambrosio

Roderick W. Fletcher

Karl A. Geiger

Robert L. Lentz, Chair

G. Christopher Riley, Vice Chair

Lisa C. Schimmel

Finance Committee

TOWN OF WAYLAND
Board of Selectmen
41 Cochituate Road
Wayland MA 01778
www.wayland.ma.us

Bulk Rate
U.S. Postage
PAID
Permit No. 16
Wayland MA

POSTAL PATRON
WAYLAND MA 01778